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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/888,470	06/25/2001	Prabhakar Gopalan	AUS920010555US1	3831
35525	7590	03/27/2009	EXAMINER	
IBM CORP (YA)			AKINTOLA, OLABODE	
C/O YEE & ASSOCIATES PC			ART UNIT	PAPER NUMBER
P.O. BOX 802333				3691
DALLAS, TX 75380				
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		03/27/2009	ELECTRONIC	

Please find below and/or attached an Office communication concerning this application or proceeding.

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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte: PRABHAKAR GOPALAN

Application No. 09/888,470
Technology Center 3691

Mailed: March 27, 2009

Before DEBORAH L. PERRY *Supervisory Paralegal Specialist, Review Team*
PERRY, *Supervisory Paralegal Specialist, Review Team.*

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was electronically received by the Board of Patent Appeals and Interferences on February 03, 2009. A review of the application revealed that it is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the Examiner to address the following matter(s) requiring attention prior to docketing.

EXAMINER'S CONSIDERATION OF REPLY BRIEF

A Reply Brief was filed in this application on December 23, 2008. There is no evidence on the record indicating that the Examiner has considered the Reply Brief in accordance with 37 CFR § 41.43(a)(1) and MPEP § 1208, part II.

CONCLUSION

Accordingly, it is ORDERED that the application is returned to the Examiner:

- 1) consider the Reply Brief filed December 23, 2008, as indicated above; and
- 2) for such further action as may be appropriate.

If there are any questions pertaining to this Order, please contact the Board of Patent Appeals and Interferences at 571-272-9797.

DP/dw

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